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PTO/SB/30 (09-03)

Request
For
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|-----------------------|
| Application Number | 09/944,951 |
| Filing Date | August 31, 2001 |
| First Named Inventor | Lo, Yuk Ming Dennis |
| Art Unit | 1634 |
| Examiner Name | Jeanine Anne Goldberg |
| Attorney Docket Number | 016285-002500US |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for 3 Mo. Ext. Time
2. Miscellaneous
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|--------------------|-------------------------------|-----------------------------------|------------|
| Name (Print /Type) | Siegfried J.W. Ruppert, Ph.D. | Registration No. (Attorney/Agent) | 44,312 |
| Signature | | Date | 09/16/2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|--------------------|-----------|------|------------|
| Name (Print /Type) | Dana Kane | Date | 09/16/2004 |
| Signature | | | |

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PATENT
Attorney Docket No.: 016285-002500US
Client Ref. No.: 01/MED/082

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On

September 16, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

Dana Kane
Dana Kane

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LO YUK MING DENNIS, *et al.*

Application No.: 09/944,951

Filed: August 31, 2001

For: METHODS FOR DETECTING
DNA ORIGINATING FROM
DIFFERENT INDIVIDUALS

Examiner: Jeanine Anne Goldberg

Art Unit: 1634

RESPONSE TO FINAL OFFICE ACTION
MAILED ON OCTOBER 17, 2003, WITH
RCE

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

These remarks are responsive to the Final Office Action mailed October 17, 2003. A Notice of Appeal with a petition for extension of time for three months was mailed to the Patent Office on April 16, 2004. The Notice of Appeal was filed on April 19, 2004, thereby making June 19, 2004, the time in which to file a Brief or appropriate response. A petition to extend the period for response for three months until September 19, 2004, is enclosed. If any additional fee is required, the Commissioner is authorized to deduct any fee due from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Applicants are submitting a Request for Continued Examination (RCE)
herewith.

Please enter the following amendments and remarks in response to the
Final Office Action.

Amendments to the Claims are reflected in the listing of claims that
begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.